



Attorney Docket No. 9362.3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Williams et al.

Confirmation No.: 1920

Application No.: 10/662,757

Group Art Unit: 1762

Filed: September 15, 2003

Examiner: unknown

For: INTRALUMINAL PROSTHESES AND CARBON DIOXIDE-ASSISTED METHODS OF  
IMPREGNATING SAME WITH PHARMACOLOGICAL AGENTS

Date: April 1, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Sir:

Attached is a list of documents on Form PTO-1449, together with a copy of any listed foreign patent document and/or non-patent literature. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with the waiver by the U.S. Patent and Trademark Office of requirements under 37 C.F.R. § 1.98(a)(2)(i) for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003.

It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP.

No fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

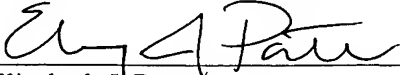
Needham James Boddie II  
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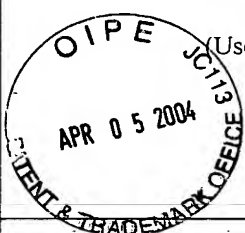
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Elizabeth J. Porter

<b>FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office</b>				<b>Attorney Docket Number</b> 9362-3		<b>Serial No.</b> 10/662,757	
<b>LIST OF DOCUMENTS CITED BY APPLICANT</b>				<b>Applicants:</b> DeSimone et al.			
(Use several sheets if necessary)							
				<b>Filing Date:</b> September 15, 2003		<b>Group</b> 1762	
<b>U. S. PATENT DOCUMENTS</b>							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	4,351,337	09/28/1982	Sidman	128	260	
	2.	4,975,280	12/04/1990	Schacht et al.	424	428	
	3.	4,994,033	02/19/1991	Shockey et al.	604	101.02	
	4.	5,059,211	10/22/1991	Stack et al.	623	1.15	
	5.	5,085,629	02/04/1992	Goldberg et al.	604	8	
	6.	5,271,400	12/21/1993	Dumoulin et al.	128	653.2	
	7.	5,306,286	04/26/1994	Stack et al.	623	1.12	
	8.	5,340,614	08/23/1994	Perman et al.	427	2.24	
	9.	5,423,885	06/13/1995	Williams	623	1.17	
	10.	5,443,458	08/22/1995	Eury	604	891.1	
	11.	5,443,498	08/22/1995	Fontaine	623	1	
	12.	5,443,500	08/22/1995	Sigwart	623	1	
	13.	5,449,382	09/12/1995	Dayton	623	1	
	14.	5,456,917	10/10/1995	Wise et al.	424	426	
	15.	5,500,013	03/19/1996	Buscemi et al.	623	1	
	16.	5,508,060	04/16/1996	Perman et al.	427	2.14	
	17.	5,527,337	06/18/1996	Stack et al.	606	198	
	18.	5,545,208	08/13/1996	Wolff et al.	623	1	
	19.	5,551,954	09/03/1996	Buscemi et al.	623	1	
	20.	5,591,199	01/07/1997	Porter	606	198	
	21.	5,591,224	01/07/1997	Schwartz et al.	623	1	
	22.	5,591,227	01/07/1997	Dinh et al.	623	1	
	23.	5,605,696	02/25/1997	Eury et al.	424	423	
	24.	5,607,467	03/04/1997	Froix	623	1	
	25.	5,618,299	04/08/1997	Khosravi et al.	606	198	

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Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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				Applicants: DeSimone et al.			
				Filing Date: September 15, 2003		Group 1762	

	26.	5,629,077	05/13/1997	Turnlund et al.	623	1.15	
	27.	5,649,952	07/22/1997	Lam	606	198	
	28.	5,670,161	09/23/1997	Healy et al.	424	426	
	29.	5,674,192	10/07/1997	Sahatian et al.	604	28	
	30.	5,697,967	12/16/1997	Dinh et al.	623	1	
	31.	5,723,508	03/03/1998	Healy et al.	521	61	
	32.	5,733,327	03/31/1998	Igaki et al.	623	1	
	33.	5,733,328	03/31/1998	Fordenbacher	623	1.16	
	34.	5,733,330	03/31/1998	Cox	623	1	
	35.	5,741,293	04/21/1991	Wijay	623	1.15	
	36.	5,741,323	04/21/1998	Pathak et al.	623	1	
	37.	5,744,958	04/28/1998	Werne	324	318	
	38.	5,746,208	05/5/1998	Prince	128	653.4	
	39.	5,749,922	05/12/1998	Slepian et al.	623	1	
	40.	5,762,065	06/09/1998	Prince	128	653.4	
	41.	5,762,625	06/09/1998	Igaki	604	8	
	42.	5,766,204	06/16/1998	Porter	606	198	
	43.	5,766,710	06/16/1998	Turnlund et al.	428	36.1	
	44.	5,769,883	06/23/1998	Buscemi et al.	623	1	
	45.	5,770,645	06/23/1998	Stamler et al.	524	419	
	46.	5,792,056	08/11/1998	Prince	600	420	
	47.	5,799,649	09/01/1998	Prince	128	653.4	
	48.	5,800,507	09/01/1998	Schwartz	623	1	
	49.	5,808,060	09/15/1998	Perman et al.	540	577	
	50.	5,824,049	10/20/1998	Ragheb et al.	623	1	
	51.	5,851,217	12/22/1998	Wolff et al.	606	191	
	52.	5,860,467	01/19/1999	DeSimone et al.	164	5	
	53.	5,868,781	02/09/1999	Killion	623	1.15	
	54.	5,873,904	02/23/1999	Ragheb et al.	623	1	

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					Applicants: DeSimone et al.		
					Filing Date: September 15, 2003		Group 1762
	55.	5,916,585	06/29/1999	Cook et al.	424	426	
	56.	5,924,987	07/20/1999	Meaney et al.	600	420	
	57.	5,957,971	09/28/1999	Schwartz	623	1	
	58.	5,957,975	09/28/1999	Lafont et al.	623	1	
	59.	Re 36,370	11/02/1999	Li	424	443	
	60.	5,980,564	11/09/1999	Stinson	623	1	
	61.	5,984,963	11/16/1999	Ryan et al.	623	12	
	62.	5,984,957	11/16/1999	Laptewicz, Jr. et al.	623	1.15	
	63.	6,004,346	12/21/1999	Wolff et al.	623	1	
	64.	6,045,568	04/04/2000	Igaki et al.	606	198	
	65.	6,080,177	06/27/2000	Igaki et al.	606	198	
	66.	6,096,070	08/01/2000	Ragheb et al.	623	1	
	67.	6,080,190	06/27/2000	Schwartz	623	1	
	68.	6,113,628	09/05/2000	Borghi	623	1.016	
	69.	6,120,847	09/19/2000	Yang et al.	427	335	
	70.	6,139,511	10/31/2000	Huter et al.	600	585	
	71.	6,156,062	12/05/2000	McGuinness	623	1.11	
	72.	6,165,196	12/26/2000	Stack et al.	606	194	
	73.	6,174,330	01/16/2001	Stinson	623	1.34	
	74.	6,176,871	01/23/2001	Pathak et al.	623	1	
	75.	6,179,867 B1	01/30/2001	Cox	623	1.15	
	76.	6,224,626	05/01/2001	Steinke	623	1.16	
	77.	6,232,434	05/15/2001	Stamler et al.	528	373	
	78.	6,240,311	05/29/2001	Prince	600	420	
	79.	6,240,936 B1	06/05/2001	DeSimone et al.	134	33	
	80.	6,245,103 B1	06/12/2001	Stinson	623	1.22	
	81.	6,251,136	06/26/2001	Guruwaiya et al.	623	1.46	
	82.	6,264,683	07/24/2001	Stack et al.	623	1.11	
	83.	6,264,671	07/24/2001	Stack et al.	606	198	

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				Applicants: DeSimone et al.			
				Filing Date: September 15, 2003		Group 1762	
	84.	6,267,769	07/31/2001	Truwit	606	130	
	85.	6,272,370	08/7/2001	Gillies et al.	600	411	
	86.	6,298,902 B1	10/09/2001	DeSimone et al.	164	131	
	87.	6,299,604	10/9/2001	Ragheb et al.	604	265	
	88.	6,302,907	10/16/1991	Hijlkema	623	1.16	
	89.	6,306,422 B1	10/23/2001	Batich et al.	424	423	
	90.	6,312,457	11/06/2001	DiMatteo et al.	623	1.13	
	91.	6,322,490	11/27/2001	Stack et al.	600	3	
	92.	6,323,256 B1	11/27/2001	DelMain	523	112	
	93.	6,368,346	04/09/2002	Jadhav	623	1.22	
	94.	6,387,124	05/14/2002	Buscemi et al.	623	1.15	
	95.	6,413,272	07/02/2002	Igaki	623	1.15	
	96.	6,420,397	07/16/2002	Pan et al.	514	352	
	97.	6,436,132	08/20/2002	Patel et al.	523	1.13	
	98.	6,440,405	08/27/2002	Cooper et al.	424	78.17	
	99.	6,451,373	09/17/2002	Hossainy et al.	427	2.25	
	100.	6,463,318	10/8/2002	Prince	600	420	
	101.	6,463,317	10/8/2002	Kucharczyk et al.	600	411	
	102.	6,468,519	10/22/2002	Uhrich	424	78.01	
	103.	6,468,299	10/22/2002	Stack et al.	623	1.11	
	104.	2001/0020083	09/6/2001	Stamler et al.	528	373	
	105.	2001/0021871	09/13/2001	Stinson	623	1.15	
	106.	2001/0029398	10/11/2001	Jadhav	623	1.22	
	107.	2001/0037126	11/1/2001	Stack et al.	606	191	
	108.	2001/0044630	11/22/2001	Stack et al.	606	108	
	109.	2001/0051822	12/13/2001	Stack et al.	623	1.11	
	110.	2002/0013617	01/31/2002	Matsutani et al.	623	1.15	
	111.	2002/0042625	04/11/2002	Stack et al.	606	194	
	112.	2002/0051845	05/02/2002	Mehta et al.	427	2.1	

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					Applicants: DeSimone et al.			
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	113	2002/0077691	06/20/2002	Nachtigall	623	1.12	
	114	2002/0124626	09/12/2002	Ching et al.	72	416	
	115	2002/0138133	09/26/2002	Lenz et al.	623	1.15	
	116	2002/0155025	10/24/2002	Daum	420	585	
	117	2002/0188342	12/12/2002	Rykhus	623	1.2	
	118	2003/0105516	06/05/2003	Austin	623	1.16	

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation Yes   No
/	119.	EP0405284A2	06/18/1990	EPO			
X	120.	EP0693923B1	10/25/2000	EPO			
X	121.	WO/99/59548	11/25/1999	PCT			

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	122	Cooper, Andrew I., "Polymer Synthesis and Processing Using Supercritical Carbon Dioxide", <i>Journal of Materials Chemistry</i> 10, pp.207-234 (2000)
	123	Engwicht et al., "Characterization of Co-Polymers of Lactic and Glycolic Acid for Supercritical Fluid Processing", <i>Biomaterials</i> 21, pp. 1587-1593 (2000)
	124	Herberger et al., "Carbon Dioxide Extraction Of Residual Solvents In Poly(lactide-co-glycolide) Microparticles", <i>Journal of Controlled Release</i> 90, pp. 181-195 (2003)
	125	Hile et al., "Active Growth Factor Delivery From Poly(D,L-lactide-co-glycolide) Foams Prepared In Supercritical CO <sub>2</sub> ", <i>Journal of Controlled Release</i> 66, pp. 177-185 (2000)
	126	Mooney et al., "Novel Approach to Fabricate Porous Sponges of Poly(D,L-lactic-co-glycolic acid) without the use of organic solvents", <i>Biomaterials</i> , Vol. 17, No. 14, pp. 1417-1422 (1996)
	127	Shakesheff, Kevin "Gently Does It", <i>Chemistry in Britain</i> , pp. 30-32 (2003)
	128	Wood et al., "Structural Control In Polymeric Materials Using Supercritical Carbon Dioxide", <a href="http://www.liv.ac.uk/~aicooper/Bath_2001.pdf">http://www.liv.ac.uk/~aicooper/Bath_2001.pdf</a>
	129	Copy of International Search Report for Int'l Appl'n. No. PCT/US03/33645

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